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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of | Freedman |
| Serial Number | 09/887,655 |
| Filing Date: | June 22, 2001 |
| Art Unit: | 2154 |
| Examiner: | Joshua Joo |
| For: | AUTOMATED CONTROL OF OUTBOUND TRANSIT LINKS IN A MULTI-HOMED BGP ROUTING ENVIRONMENT |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

This paper is submitted in response to the Office Action mailed June 6, 2005. A three (3) month extension of time is submitted with this paper to extend the deadline for response through December 9, 2005.

REMARKS AND REQUEST FOR RECONSIDERATION

Respectfully, Tirosh et al., the primary reference, do not teach what the Examiner contends. Tirosh et al. do describe a technique for measuring link quality and dynamically updating a router configuration to switch output paths (to maintain a given quality of service), but their invention operates within a given network, not across different networks as required by the present invention.

Importantly, Claims 1 and 13 are written in the context of a multi-homed router connectable to a plurality of destination networks through at least first and second transit networks. Each claim further requires "code to initiate periodic path quality measurements for each of a set of transit network/destination links" and "code ... to facilitate re-route from [a] first to [a] second transit network/destination network link."